

My name is Don Lotter

I am a member of American Legion Post No. 7 and AMVETS Post 1072

Submitted for your information is a six page hand-out you may refer to.

## **Why I support changes in Michigan Act 190 of 1965**

### **“Uniformity of Service Dates”**

As introduced in House Bill 5251, 5252, and 5253

There are three reasons:

- First, the “War Time Clause” in Act 190 does not include the honorable service of men and women who served during the Cold War.
- Second, Act 190 does not account for all conflicts Michigan men and women participated in throughout the Cold War.
- And third, amending Act 190 would establish parity for the 190,000 Michigan Cold War Veterans not currently defined in State Law. 25% of the State’s Veteran population are Cold War Veterans.

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#### First Point

The Cold War ended 20 years ago. The Department of Defense defines the Cold War as the period beginning on September 2, 1945 and ending on December 26, 1991. During that period many hostile acts

occurred against the United States of America, resulting in an estimated 100,000 deaths of men and women of the Armed Forces of the United States (Korean and Vietnam included.) Act 190 defines those that served and/or died during WW II, Korea and Vietnam as veterans. But the men and women who served during the Cold War (excepting the Korean and Vietnam conflicts) and survived are not recognized as veterans in Michigan Law because of the "War Time Clause." The Cold War was the umbrella conflict that included the Korean and Vietnam wars. In Europe the Cold War was played out on both sides on a permanent war footing. No one should be under any illusion that forces on both sides of the Inner German Border were entirely ready for immediate committal to combat. US forces lived with the necessary levels of operational readiness and training to engage Soviet and German forces throughout that 45 year period. No official NATO medal was struck by its member states to mark the end of the Cold War, except Norway issued their military forces a medal for service during the Cold War. However, the United States Congress did authorize in Statute 1920 Public Law 105-85-dated November 18, 1997 a certificate, and directed the Secretary of Defense to prepare the certificate recognizing Cold War service of qualifying members of the Armed Forces and recognizing their participation in the Cold War.

U.S. Department of State doctrines that supported United States Foreign Policy were Deterrence and Containment, articulated in the Truman doctrine, and Mutual Assured Destruction acknowledged by both the Communists Nations and NATO. Cold War Veterans prevented the annihilation of the United States of America through a constant state of readiness that deterred a Soviet attack on our Nation and Western Europe. There were casualties during the Cold War not directly related to Korea and Vietnam numbering almost 1,000, and many other members of the US Armed Forces were exposed to constant danger. Because victory in the Cold War was declared by President Bush at a West Point

Graduation Speech on June 1, 2002, and further evidenced by the disintegration of the Soviet Union in 1991, I am advocating Cold War veteran service be included in Act 190. The Department of Defense acknowledges the Cold War as a 'period of war' and so does Congress in Public Law 104-106 dated February 10, 1996. Therefore, the State of Michigan should also acknowledge this fact in its Laws.

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#### Second Point

Michigan Public Act 190 of 1965 "Uniformity of Service Dates" is not historically accurate. It does not mention the Berlin Air Lift, Cuban Missile Crisis, Grenada, Panama, Lebanon, Nicaragua or deployment of US forces in the Philippines. These conflicts should be noted when discussing the Cold War because the spread Communism was our utmost concern during that period. Therefore, if Act 190 is to be historically accurate the service of Michigan's men and women who served during these crises should be acknowledged. House Bill 5253 accomplishes this.

An accessory to this point is the meaning of codified law. The 21 Public Acts in Michigan's laws pertaining to veterans is supposed to insure impartial treatment. By excluding conflicts or specifying certain conflicts the credibility of codified law is diminished. The Cold War deserves a place in the State's military history every bit as much as the five World Wars that preceded it.

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#### Third Point

Finally, there were several times in our Nation's History when segments of our population felt their situation so unjust, because there was a significant difference between the conditions in their lives and their expectations, they reacted with social movements. These reactions had great consequences for our Nation. Sociologists describe this as relative deprivation. For example: African Americans felt this way after the Civil War. They had the rights of citizenship but they had many restrictions

placed upon them e.g. segregation and the right to vote. This was not resolved until the Civil Rights Movement of the 60s.

The women's suffrage movement was not resolved until 1920 with the adoption of the Twentieth Amendment to the United States Constitution.

And now in Michigan we have 190,000 Cold War veterans not included in State Law. Their relative deprivation is reflected in statements like "I never felt my service contributed to anything or was appreciated by our Society or Government." The Department of Veterans Affairs and Michigan's Department of Military and Veterans Affairs call these veterans 'Peace Time' veterans. I would like to believe this is an oversight, but it's not. It's an undervaluing of their contribution our Countries Security. It is a term not appropriate for Cold War veterans. I urge Act 190 be amended as an amicable way to include the Cold War veterans into our veteran community. Cold War veterans should be included in Act 190 because their service directly prevented the nuclear annihilation of our Country. Their service was just as intense and as important as the service of any hot war veterans. The Cold War victory was a glorious victory and it preserved our Nation. Most people are oblivious to this. The Cold War veterans should be included in our State's Laws so Cold War veteran's deeds and service will never be forgotten and future generations will know the significance of the Cold War.

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In summary

I realize there is skepticism about revising this Act. The skepticism comes from the notion that making this proposed change; would have an adverse impact on 20 other State Laws pertaining to veterans.

Act 190 is revenue neutral.

My advocacy is not intended to diminish the service of anyone who served during the hot wars, Korea or Vietnam. The Cold War was the Umbrella period; covering both hot Wars and many other military episodes during that period. Any one who served from 2 Sep 1945 to 26 Dec 1991 is a Cold War Veteran. For the sake of accuracy these veterans

should be included in Act 190 along with the other veterans. The US Congress acknowledged the Cold War by proclaiming "The Congress hereby commends the members of the Armed Forces and civilian personnel of the Government who Contributed to the historic victory in the Cold War, and expresses its gratitude and appreciation for their service and sacrifices," 104<sup>th</sup> Congress 2<sup>nd</sup> Session, Concurrent Resolution 180. And The U.S. House of Representatives on March 21, 2010 in H. Res. 900 resolved and honors the sacrifices and contributions made by members of the Armed Forces during the Cold War.<sup>1</sup>

I am advocating that H.R. 5251, 5252, and 5253 be approved and include any person who served honorably in the Armed Forces of the United States during the Cold War so that they receive benefits other veterans enjoy. **Better yet define a veteran as anyone who honorably served in the Armed Forces of the United States of America past, present, and future.**

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<sup>1</sup> House Resolution 900, March 21, 2010.  
9/9/2012

## **Appendix:**

**The Berlin Airlift, June 12 1948 through May 12, 1949. There were 29,926 flights into Berlin, 24 crashes and 48 deaths of military personnel. And, thousands of military personnel supported the massive mission.**

**More than 200 airmen were killed by communist air defenses during the Cold War.**

**For 24 years the Fulda Gap was patrolled by the US Army's 14<sup>th</sup> Armored Cavalry Regiment. And there were many undocumented fire fights in the early years after WW II.**

**40 intelligence aircraft were shot down.**

**There were many unacknowledged firefights on the 38<sup>th</sup> Parallel in Korea.**

**SAC missions flew 24 hours a day year round for 40 years.**

**President John F. Kennedy signed Executive Order 11016 in 1962 authorizing the award of the Purple Heart without a declaration of War.**

**President Ronald W. Reagan followed in 1984 by signing Executive Order 12464 authorizing the award of the Purple Heart without a declaration of War following the Lebanon crisis where 241 Marines died.**

**Certificates of Recognition are authorized for Cold War veterans in Public Law 105-85, November 18, 1997.**

**Several Veteran Service organizations passed resolutions supporting legislation awarding of a Cold War Victory Medal e.g. American Legion, AMVETS, VFW et al.**

## Why I become interested in Michigan Act 190 of 1965 "Uniformity of Service Dates"

Michael Phillipson: (disclaimer)

- He applied for an emergency grant from the Office of Veterans Affairs in Tuscola County.
- He was denied benefits because he was a Cold War veteran, having served in the US Marine Corps from 1982-1986.
- Michigan Law does not provide for Cold War service in Act 190.
  - He has a wife and 3 children.
  - Cannot work, diagnosed with Non-Hodgkins Lymphoma.
  - He is being treated by the VA.
  - He filed a VA claim for disability in May of 2008 (not yet resolved).
  - SSI was denied because he is not off work for one full year.
  - He lives on food stamps and \$400 stipend from DHS.
  - His bills are \$2700 per month.
  - His income is \$1100 per month.
  - American Legion Post No. 7 has paid his electric/propane bills this winter. (Amounting to over \$4,600.)
  - His VA Claim has not been adjudicated yet.
  - Further, He served during the Lebanon Crisis and in the Philippines with the 4<sup>th</sup> Marine Division. Just recently it was found that Camp Lejeune had water contamination problem from 1950 through the 80s. And two elements in the water are linked to Lymphoma.
  - On Christmas Eve he was declared bankrupt.
  - His house has been sold at a sheriff's sale.
  - He has sold everything he owned.

- This family is indigent, depending on community fund raisers and local VSO support.
- He has received \$800 from the American Legion Family Assistance trust.

These facts cannot possibly describe the family distress during the past year. He is not responding well to his VA Hospital treatment. Yet, he has the hope that a change in Act 190 will give recognition to others who served during the Cold War. William died in 2010 from Non-Hodgkins Lymphoma because of the water contamination at Camp Lejeune.